REMARKS

With respect of Rule 116, entry of the claim amendments is respectfully requested, since the claim amendments involve only the deletion of the term "material" in claims 2, 9, 18 and 45.

Claims 2, 9, 18 and 45 were rejected under 35 USC 103 as being unpatentable over USP 4,818,283 to Grunthaler et al.; Xiao et al., Scripta Metallurgica et Materialia, Vol. 32, No. 3, pp. 353-358 (1995) or Chu et al., Journal of Applied Physics, Vol. 85, No. 9, 6462-6269 (1999) for the reasons set forth on pages 3 to 5 of the Office Action.

Applicant's present claim 2 is directed to a sputtering target consisting essentially of a binary alloy including Cu and Mo.

USP 4,818,283 (Grunthaler et al.) describes a Cu alloy including 0.3 to 15 wt% of Mo. However, USP 4,818,283 does not mention a sputtering target at all. Also since a sputtering target is for producing a thin film, the product described in USP 4,818,283 is completely different from a sputtering target.

Xiao et al. describe a sputtering target which is produced by attaching pieces of pure Cu foil to a Mo target (page 353, lines 1 to 5 of Experimental Procedures).

Chu et al. describe a sputtering target produced by attaching a Cu plate (99.9% pure) with a Mo target (99.95% pure) on page 6462, right column, lines 1 to 4 of Experimental Procedure.

The above means that Xiao et al. and Chu et al. disclose a co-sputtering with separate Cu and Mo targets. Xiao et al. and Chu et al. do not disclose a sputtering target consisting essentially of a binary alloy including Cu and Mo as recited in applicant's present claim 2. Thus, applicant's present claim 2 is submitted to be patentable over the cited references.

Applicant's present claim 9 recites a wiring pattern, an electrode or a contact formed by a sputtering target consisting essentially of a binary alloy including Cu and Mo.

As discussed hereinabove, USP 4,818,283 does not mention a sputtering target at all.

As discussed above, Xiao et al. and Chu et al. disclose a co-sputtering with separate Cu and Mo targets, but do not disclose or suggest a sputtering target consisting essentially of a binary alloy including Cu and Mo as recited in applicant's claim 9. Thus, Xiao et al. and Chu et al. do not teach or suggest a wiring pattern, an electrode or a contact formed by a

sputtering target consisting essentially of a binary alloy including Cu and Mo, as recited in applicant's claim 9. Further, a sputtering target consisting essentially of a binary alloy including Cu and Mo as recited in applicant's claim 9 produces a Cu-Mo alloy thin film with a stable composition compared to the co-sputtering of Xiao et al. and Chu et al.

It is thus respectfully submitted that applicant's claim 9 is patentable over the cited references.

Applicant's present claims 18 and 45 are also submitted to be patentable over the cited references for the same reasons discussed above with respect to applicant's present claim 9.

Withdrawal of the 35 USC 103 rejection is thus respectfully requested.

Reconsideration is requested. Allowance is solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

Richard S. Barth
Reg. No. 28,180

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900
Fax No. (212) 319-5101
E-mail Address: BARTH@FHGC-LAW.COM
RSB/ddf

Enc.: PETITION FOR EXTENSION OF TIME